

IN THE MATTER OF  
TAMMY WILLIAMS  
Respondent  
License Number: 17393

\* BEFORE THE  
\* MARYLAND STATE BOARD  
\* OF SOCIAL WORK EXAMINERS  
\* Board Case Number 13-1894

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**FINAL DECISION AND ORDER**  
**PROCEDURAL HISTORY**

On August 14, 2015, the Maryland Board of Social Work Examiners (the "Board") filed a "Notice of Disciplinary Charges under the Maryland Board of Social Workers Act" (the "Charges") against the Tammy Williams (the "Respondent"), which charged her with several violations of the Maryland Social Workers Act. Specifically, the Board charged the Respondent with violations of Md. Code Ann., Health Occ. ("HO") § 19-311(4), (5), (6) and (8) (2014). as well as violations of the Board's regulations, COMAR 10.42.03.03 and 10.42.03.06.

On January 13, 2016, the Office of Administrative Hearings ("OAH") issued the parties a Notice of In-Person Prehearing Conference (the Prehearing Conference), by first class mail, scheduling the matter for February 22, 2016 at 9:30 at OAH, 11101 Gilroy Road, Hunt Valley, Maryland 21031. The United States Postal Service did not return the Respondent's copy of the notice, which OAH addressed to the Respondent's address of record at 1837 Abbey Lane, Apt. A, Hagerstown, MD 21740. The notice stated that "[f]ailure to appear or give timely notice of your inability to appear for the prehearing conference may result in a decision against you." The notice included instructions requiring that each party file a prehearing statement with OAH. Neither the Respondent nor anyone authorized to represent her appeared for the Prehearing Conference. Tracee Orlove Fruman, Assistant Attorney General, Administrative Prosecutor,

appeared for the State of Maryland. After waiting twenty minutes past the scheduled start time, the State moved for a default judgment. COMAR 28.02.01.23A provides that "[i]f, after receiving proper notice, a party fails to attend or participate in a prehearing conference, hearing, or other stage of a proceeding, the judge may proceed in that party's absence or may, in accordance with the hearing authority delegated by the agency, issue a final or proposed default order against the defaulting party." This motion was supported by a written Motion for Proposed Default which included documentation in support, against the Respondent. The Administrative Law Judge ("ALJ") granted the Motion for Proposed Default.

On February 24, 2016, the ALJ issued a Proposed Default Order proposing that (1) Respondent be found in default; (2) the Charges issued by the Board on August 14, 2015 be upheld and that the Respondent's license to practice social work in the State of Maryland be indefinitely suspended; and (3) all further proceedings be terminated.

After considering the entire record, the Board affirms the ALJ's proposed decision of default as set forth in the ALJ's Proposed Default Order, as well as the ALJ's proposed decision that the Board's charges for violations of H.O. §§ 19-311(4), (5), (6) and (8), and COMAR 10.42.03.03 and 10.42.03.06 are uncontested, and the termination of all further proceedings in this case. As such, the Board issues this Final Decision and Order as the Board's final decision in this case.

### **FINDINGS OF FACT**

The Board makes the following findings of fact based upon the entirety of the record:

1. At all times relevant, the Respondent was and is licensed to practice clinical social work in the State of Maryland. The Respondent was initially licensed a graduate social worker in the State of Maryland on October 30, 2002, having been issued license number G10539. She

obtained her clinical social worker license on May 23, 2012. Her license is currently inactive, having expired on October 31, 2014.

2. At all times relevant, the Respondent was employed as a therapist providing in a private practice ("Practice A") located in Baltimore, Maryland.

3. On or about August 21, 2013, the Board received a complaint from the Respondent's former co-worker ("the Complainant") alleging that the Respondent's former client ("Client A") reported that the Respondent breached clients' confidential information by sending mass text messages and emails to her clients. The Complainant further stated that the Respondent disclosed personal information about herself to clients during counseling sessions.

4. Thereafter, the Board opened the case for investigation.

5. On January 30, 2014, the Board's investigator interviewed the Complainant, who was a social worker intern also employed at Practice A.

6. According to the Complainant, Client A contacted the Complainant to express his dissatisfaction with the Respondent's services. Specifically, Client A reported that the Respondent sent group emails and text messages to her clients, that the Respondent's spouse accompanied the Respondent to work on Saturdays and would interrupt counseling sessions to request food and money. Client A also reported to the Complainant that the Respondent disclosed personal details pertaining to her spouse's criminal background. Finally, Client A reported that the Respondent allowed him to pick up his disability forms from her residence.<sup>1</sup>

7. The Complainant further stated that the Respondent was the only employee of Practice A who worked on Saturdays.

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<sup>1</sup> The Complainant documented Client A's complaints in a note to the practice's owner, who instructed the Complainant to file a complaint with the Board.

8. On or about January 30, 2014, the Board's investigator interviewed Client A over the telephone.

9. According to Client A, he began individual counseling sessions on Saturdays with the Respondent in May 2013. Client A stated that the Respondent had sent mass text messages and emails to her clients to inform them that she would not be in the office due to personal problems.<sup>2</sup> Client A stated that the messages contained her clients' email addresses and/or cell phone numbers.

10. Client A stated that he requested that the Respondent complete short term disability forms for his employer. The Respondent failed to report to work on the day when Client A had a scheduled appointment, so she instructed Client A to retrieve the disability forms from her residence.

11. Client A further stated that the Respondent's spouse accompanied her to work on Saturdays. Client A stated that the Respondent's spouse interrupted his counseling sessions to request food or money from the Respondent, who then disclosed to Client A that her spouse was insecure and had trust issues.

12. Client A also stated that the Respondent informed him that her spouse has a substance abuse problem and a criminal background.

13. The Board's investigator obtained the Respondent's treatment file for Client A, which confirmed that the Respondent provided counseling services to Client A from May 11, 2013 through June 22, 2013, often on Saturdays. Client A's treatment file also contained a copy of short term disability forms which the Respondent completed on May 27, 2013.

14. In furtherance of the Board's investigation, the Board's investigator issued a subpoena for the Respondent's personnel file at Practice A. A review of the file revealed that the

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<sup>2</sup> Client A was unable to locate copies of the emails and text messages.

Respondent was terminated on July 13, 2013 for failing to maintain clinical records, canceling appointments, failing to report to work, client complaints, and missing supervision reports.

15. The Respondent's personnel file also contained two lengthy notes regarding client complaints dated May 18, 2013 and May 28, 2013 relating to canceling and failing to report to work for client appointments, poor counseling services and self-disclosures.

16. Practice A's owner had also documented complaints about the Respondent's spouse being present in the office on weekends during counseling sessions and complaints from clients who felt that they were "the therapist's therapist" because the Respondent's disclosed information about her personal life during client sessions.

17. The Board also obtained the Respondent's personnel file from her previous employer, a state agency, where she was employed beginning March 21, 2012.

18. A review of the personnel file revealed that on April 25, 2013 the Respondent was asked to submit to a random drug screen. The Respondent's random drug screen was positive, without medical explanation, for cocaine and morphine.<sup>3</sup> The Respondent was consequently placed on suspension for 15 days.<sup>4</sup>

19. Effective June 9, 2013 resigned without notice from her employment at the state agency.<sup>5</sup>

20. On December 1, 2014, the Board's investigator interviewed the Respondent under oath.

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<sup>3</sup> The Respondent provided documentation of her then-current prescribed and over-the-counter medications. None of the medications accounted for the positive test results.

<sup>4</sup> Referral to EAP and completion of a rehabilitation program was also required. However, the Respondent did not complete those requirements and instead opted to resign.

<sup>5</sup> Documentation in the Respondent's personnel file indicates that the Respondent failed to return to work at the conclusion of her disciplinary suspension and did not provide the two week notice upon her separation from the agency.

21. The Respondent stated that she resigned her employment at Practice A because the office was moving to Towson and she wanted to phase out her work at Practice A in anticipation of eventually moving to Florida.<sup>6</sup>

22. The Respondent stated that she notified her clients of her resignation by sending a single email to all of her clients. She stated that she "didn't even think about the fact that it was going to everybody." She further stated that she felt that "those email addresses are more confidential than . . . sitting in the waiting room."

23. The Respondent confirmed that her husband often accompanied her to work on Saturdays "to make sure the office was safe" but did not stay while she met with clients. The Respondent stated that on occasion her husband would call or text her to let her know that he had returned to the office to pick her up or if he needed something.

24. The Respondent stated that Client A was "very aggressive," "not interested in therapy" and "basically just wanted me to fill out his paperwork." However, the Respondent's contact notes from her session with Client A do not reflect this about Client A.

25. The Respondent's conduct, as described above constitutes, in whole or in part, violates each of the following provisions of HO § 19-311:

- (4) Commits any act of gross negligence, incompetence, or misconduct in the practice of social work; and/or
- (5) Engages in a course of conduct that is inconsistent with generally accepted professional standards in the practice of social work; and/or
- (6) Violates any provision of this title or regulations governing the practice of social work adopted and published by the Board; and/or
- (8) Provides professional services while:

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<sup>6</sup> The Respondent's personnel file contains a letter dated July 1, 2013 terminating the Respondent's contract with Practice A for the reasons listed in paragraph 13.

(ii) Using any narcotic or controlled dangerous substance, as defined in 5-101 of the Criminal Law Article, or other drug that is in excess of prescribed amounts or without valid medical indication[.]

32. The Respondent's conduct, as described above constitutes, in whole or in part, violates each of the following provisions of COMAR:

10.42.03.03 Responsibilities to Clients. A. The licensee shall: (5) Maintain documentation in the client's record which: (g) (g) Ensures that no confidential information is disseminated and identities are protected when computer and internet technologies are used; and/or

10.42.03.03 Responsibilities to Clients. B. The licensee may not: (3) Exploit a relationship with a client for personal advantage or satisfaction; and/or

10.42.03.06 Standards of Practice. B. A licensee may not: (1) Undertake or continue a professional relationship with a client when the competence or objectivity of the licensee is or could reasonably be expected to be impaired due to: (a) Mental, emotional, physiological, pharmacological, substance abuse, or personal problems.

(The ALJ's Proposed Default Order is incorporated into this decision and appended as Attachment A). Ms. Williams was duly notified of the Board's investigation, of the charges, of the CRC, of the prehearing conference, and of the evidentiary hearing scheduled in her case. Ms. Williams failed to respond to the Notice, and failed to appear in person or through counsel the prehearing conference scheduled on February 22, 2016.

The Board also adopts as findings of fact all of the Allegations of Fact, numbered in the Board's charging document issued in this case. Due to Ms. Williams' default, the Board finds that the factual allegations and charges are unrefuted.

In the Board's view, the totality of Ms. Williams' conduct involved unprofessional conduct in the practice of social work, and exploited her relationship with a client. In the absence of any evidence to the contrary, the Board adopts these charging allegations as factual findings and further adopts the ALJ's proposed sanction.

**CONCLUSIONS OF LAW**

The Board concludes that Ms. Williams (1) committed an act of gross negligence, incompetence and misconduct in the practice of social work; (2) Engaged in a course of conduct that is inconsistent with generally accepted professional standards in the practice of social work; (3) Provided professional services while using a narcotic or controlled dangerous substance, as defined in 5-101 of the Criminal Law Article, or other drug that is in excess of prescribed amounts or without valid medical indication; (4) Failed to maintain proper confidentiality in the documentation of the client's record; (5) Exploited a relationship with her client for personal advantage and satisfaction; and (6) Continued a professional relationship with a client when her competence or objectivity was or reasonably was expected to be impaired due to substance and pharmacological abuse, in violation of the H.O. §§ 19-311(8).


**ORDER**

It is hereby **ORDERED** that the license of Tammy Williams to practice social work in the State of Maryland be **REVOKED**; and it is further

**ORDERED** that this is a Final Decision and Order of the Board, and as such, is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., General Provisions 4-101 *et seq.*

Date

8/12/2016

  
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Denise Capaci, LCSWC-C, Board Chair  
Maryland State Board of Social Work Examiners



**NOTICE OF RIGHT TO APPEAL**

Pursuant to Md. Code Ann., Health Occ. § 19-313(b), Ms. Williams has the right to take a direct judicial appeal. Any appeal shall be filed with thirty (30) days from the receipt of this Final Decision and Order and shall be made as provided for judicial review of a final decision in the Maryland Administrative Procedure Act, Md. State Gov't Code Ann. § 10-222 and Title 7, Chapter 200 of the Maryland rules of Procedure.

If Ms. Williams files an appeal, the Board is a party and should be served with the court's process at the following address:

**Maryland State Board of Social Work Examiners  
c/o Stanley Weinstein, PhD., Executive Director  
4201 Patterson Avenue  
Baltimore, Maryland 21215**

In addition, Ms. Williams should send a copy to the Board's counsel:

**Ari S. Elbaum, Esquire  
Office of the Attorney General  
300 W. Preston Street, Suite 302  
Baltimore, Maryland 21201**

The Administrative Prosecutor is no longer a party to this case and need not be served or copied.